

Council Member \_\_\_\_\_ then introduced the following proposed Resolution entitled "RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED NORTHEAST ANKENY URBAN RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL AREA IN THE CITY OF ANKENY, STATE OF IOWA", and moved that the same be adopted. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called and the vote was,

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

Whereupon, the Mayor declared the Resolution duly adopted as follows:

### **RESOLUTION**

RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED NORTHEAST ANKENY URBAN RENEWAL PLAN FOR A PROPOSED URBAN RENEWAL AREA IN THE CITY OF ANKENY, STATE OF IOWA

WHEREAS, it is hereby found and determined that one or more economic development areas, as defined in Chapter 403, Code of Iowa, exist within the City and the rehabilitation, conservation, redevelopment, development, or combination thereof, of the area is necessary in the interest of the public health, safety, or welfare of the residents of the City; and

WHEREAS, this Council has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an urban renewal area under Iowa law and has caused there to be prepared a proposed Northeast Ankeny Urban Renewal Plan for the area described therein, which proposed Plan is attached hereto as Exhibit A; and

WHEREAS, this proposed Urban Renewal Area includes and consists of:

Commencing at the southwest corner of section 12, township 80 north, range 24 west of the 5th P.M.; thence east along the center line of NE 18th Street right-of-way a distance of 736.32 feet; thence northerly along the east line of Northpointe Village Center Plat 1 a distance of 227.23 feet; thence north easterly along said plat line a distance of 417.10 feet; thence northerly along said plat line 386.94 feet; thence north westerly along said plat line a distance of 249.85 feet; thence northerly along said plat line to the most north eastern point of Northpointe Village Center Plat 1 a distance of 93.9 feet; thence north along the east line of Northpointe Professional Park Plat 1 a distance of 524.18 feet; thence north westerly along said plat line a distance of 700.27 feet; thence northerly along said plat line to the most north eastern point of Northpointe Professional Park Plat 1 a distance of 303.56 feet; thence continuing northerly along the east lot line of Lot 3, Briarwood Plat 17 to the southern right-of-way line of NE 28<sup>th</sup> Street; thence continuing northeasterly to the north right-of-way line of said street and the southeast corner of Lot 1, Briarwood Plat 21, a distance of 60 feet; thence northerly following the west line of said Plat 21 a distance of 789.75 feet to the south plat line of Outlot X, Briarwood Plat 14; thence west 64.01 feet to the southwest corner of Briarwood Plat 14; thence north to the southern right of way line of NE 36th Street a distance of 451 feet; thence east along said right-of-way line to the western right-of-way line of NE Delaware Avenue a distance of 4835.22 feet; thence along the 50 foot radial curve of said right-of-way 78.49 feet southeasterly; thence 200 feet south; thence 50 feet east to the centerline of NE Delaware Avenue; thence northeasterly along the intersection right-of-way line 327.86 feet to the southern right-of-way line of NE 36<sup>th</sup> Street; thence easterly along said right-of-way to the eastern right-of-way line of NE Milan Avenue approximately 1000 feet; thence following the 25 foot radial curve of said right-of-way 41.33 feet southwesterly; thence 116.73 feet south along the western property line of Lot 1 Briar Creek Plat 1; thence following the 25 foot radial curve of the northern right-of-way line of NE 31<sup>st</sup> Street southeasterly; thence following the said right-of way southeasterly 354.48 feet; thence following the southern property line of Lot 1 Briar Creek Plat 1 northeasterly 275.23 feet to the western property line of Lot 1 Albaugh Golf and Commercial; thence following said western property line to the southwestern most point 4643.77 feet; thence following said property line easterly 389.45 feet; thence northeasterly 235 feet; thence southeasterly 166 feet; thence southwesterly 80 feet; thence easterly 315 feet to the eastern right of way line of I-35; thence continuing easterly 2300 feet; thence southerly 1321.4 to the south line of section 7, township 80 north, range 23 west; thence easterly along said section line 1150 feet to the southeast corner of said section; thence north along the eastern line of said section to the southeast corner of section 6, township 80 north, range 23 west; thence continuing north along the eastern line of said section to the northeast corner of the southeast  $\frac{1}{4}$  of said section 6; thence westerly to the northwest corner of the southeast  $\frac{1}{4}$  of said section 6; thence continuing westerly 278 feet to the western I-35 right-of-way line; thence southerly 1825 feet to the northeast corner of Outlot Z, Otter Creek Redevelopment Plat 1; thence westerly 751 feet along the northern property line to the northwest corner of said Outlot; thence north westerly 195 feet to a northeast corner of Outlot Y, Otter Creek Redevelopment Plat 1; thence northwesterly 142 feet; thence southwesterly 115 feet; thence southerly 255 feet; thence southwesterly 191 feet; thence northwesterly 67.33 feet to the northwestern most corner of NE Otter Creek Drive right-of-way; thence southerly 838.62 feet following the western right-of-way line of said drive to the northern right-of-way line of NE 36<sup>th</sup> Street; thence westerly along said NE 36<sup>th</sup> Street right-of-way line 1320 feet; thence

northwesterly 145 feet to eastern NE Delaware Avenue right-of-way line; thence west 94 feet to the western right-of-way line of NE Delaware Avenue; thence southwesterly 145 feet to the northern right-of-way line of NE 36<sup>th</sup> Street; thence westerly along said right-of-way 2150 feet to the southwest corner of Lot 1, AFUMC Christian Life Center; thence south 5 feet; thence west 217.99 feet; thence northwesterly 126.19 feet; thence west 128.01 feet; thence north 11 feet; thence west 202.58 feet; thence south 115 feet; thence west along the north NE 36<sup>th</sup> Street right-of-way line 680 feet to the southeast corner of Outlot B, The Woodland Reserve Plat 1; thence north along eastern property line of said, Lot B 185.5 feet; thence west 655.03 feet to the northwest corner of Outlot C, The Woodland Reserve Plat 1; thence north along the west line of The Woodland Reserve Plat 1 a distance of 1026.36 feet; thence westerly along the south right-of-way line of NE 41<sup>st</sup> Street to the east right-of-way line of U.S. Highway 69 a distance of 1058.18 feet; thence westerly to the northeast corner of Lot 1, Johnson Estates Plat 1, 120 feet; thence west 342 feet; thence southerly a distance of 476.53.18 feet; thence westerly a distance of 400.00 feet; thence southerly a distance of 400.00 feet; thence westerly a distance of 700.00 feet; thence southerly to the center right-of-way line of NW 36th Street a distance of 400.00 feet; thence easterly to the western right-of-way line of U.S. Highway 69 a distance of 1,448.77 feet; thence southerly along the said right-of-way line of U.S. Highway 69 a distance of 4,061.66 feet; thence westerly along the north line of Georgetown Plat 2 a distance of 786.40 feet to the north west most corner of said plat; thence south westerly along the west line of Georgetown Plat 2 a distance of 274.17 feet; thence south westerly along the west line of said plat to the north western most corner of Lot 1 Georgetown Plat 2 a distance of 222.17 feet; thence southerly along the east line of Georgetown Plat 3 to the south eastern most corner of Lot 4 of Georgetown Plat 3 a distance of 255.05 feet; thence southerly along the eastern line of said plat to the south eastern most corner of Lot 7 Georgetown Plat 3 a distance of 189.8 feet; thence southerly along the east line of said plat to the south eastern most corner of Lot 9 Georgetown Plat 3 a distance of 189.76 feet; thence southerly along the east line of said plat to the center right-of-way line of NW 18th Street a distance of 138.54 feet; thence easterly along the center right-of-way line to the point of beginning a distance of 1072.07. The area includes all streets and their right-of-way within the Urban Renewal Area and all streets and their right-of-way forming the boundary of the Area.

WHEREAS, the proposed urban renewal area includes land classified as agricultural land and written permission of the current owners will be obtained; and

WHEREAS, it is desirable that these areas be redeveloped as part of the overall redevelopment area covered by the Plan;

WHEREAS, the Iowa statutes require the City Council to submit the proposed Northeast Ankeny Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the General Plan for development of the City as a whole prior to Council approval of such Plan, and further provides that the Planning and Zoning Commission shall submit its written recommendations thereon to this Council within thirty (30) days of its receipt of such proposed Northeast Ankeny Urban Renewal Plan; and

WHEREAS, the Iowa statutes further require the City Council to notify all affected taxing entities of the consideration being given to the proposed Northeast Ankeny Urban Renewal Plan and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Northeast Ankeny Urban Renewal Plan subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Plan and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF ANKENY, STATE OF IOWA:

Section 1. That the consultation on the proposed Northeast Ankeny Urban Renewal Plan required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on the 20th day of September, 2010, in the Ankeny City Hall - City Council Chambers, 410 W 1st Street, Ankeny, IA 50023, at 1:00 o'clock P.M., and the Designated Representative is hereby appointed to serve the City for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).

Section 2. That the City Clerk is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1A), along with a copy of the proposed Northeast Ankeny Urban Renewal Plan, the notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD  
BETWEEN THE CITY OF ANKENY, STATE OF IOWA  
AND ALL AFFECTED TAXING ENTITIES  
CONCERNING THE PROPOSED NORTHEAST  
ANKENY URBAN RENEWAL PLAN FOR THE CITY OF  
ANKENY, STATE OF IOWA

The City of Ankeny, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1A) of the Code of Iowa, as amended, commencing at 1:00 o'clock P.M. on September 20, 2010, in the Ankeny City Hall - City Council Chambers, 410 W 1st Street, Ankeny, IA 50023 concerning a proposed Northeast Ankeny Urban Renewal Plan, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the proposed Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the proposed Urban Renewal Area, and the duration of any bond issuance included in the Plan.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Designated Representative of the City of Ankeny, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Northeast Ankeny Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the City Council of the City of Ankeny, State of Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Dated this 7<sup>th</sup> day of September, 2010.

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City Clerk, City of Ankeny, State of Iowa

(End of Notice)

NOTICE OF PUBLIC HEARING TO CONSIDER  
APPROVAL OF A PROPOSED NORTHEAST ANKENY  
URBAN RENEWAL PLAN FOR A PROPOSED URBAN  
RENEWAL AREA IN THE CITY OF ANKENY, STATE  
OF IOWA

The City Council of the City of Ankeny, State of Iowa, will hold a public hearing before itself at its meeting which commences at 5:30 o'clock P.M. on October 18, 2010 in the Ankeny City Hall - City Council Chambers, 410 W 1st Street, Ankeny, IA 50023, to consider adoption of a proposed Northeast Ankeny Urban Renewal Plan (the "Plan") concerning a proposed Urban Renewal Area in the City of Ankeny, State of Iowa, legally described as follows:

Commencing at the southwest corner of section 12, township 80 north, range 24 west of the 5th P.M.; thence east along the center line of NE 18th Street right-of-way a distance of 736.32 feet; thence northerly along the east line of Northpointe Village Center Plat 1 a distance of 227.23 feet; thence north easterly along said plat line a distance of 417.10 feet; thence northerly along said plat line 386.94 feet; thence north westerly along said plat line a distance of 249.85 feet; thence northerly along said plat line to the most north eastern point of Northpointe Village Center Plat 1 a distance of 93.9 feet; thence north along the east line of Northpointe Professional Park Plat 1 a distance of 524.18 feet; thence north westerly along said plat line a distance of 700.27 feet; thence northerly along said plat line to the most north eastern point of Northpointe Professional Park Plat 1 a distance of 303.56 feet; thence continuing northerly along the east lot line of Lot 3, Briarwood Plat 17 to the southern right-of-way line of NE 28<sup>th</sup> Street; thence continuing northeasterly to the north right-of-way line of said street and the southeast corner of Lot 1, Briarwood Plat 21, a distance of 60 feet; thence northerly following the west line of said Plat 21 a distance of 789.75 feet to the south plat line of Outlot X, Briarwood Plat 14; thence west 64.01 feet to the southwest corner of Briarwood Plat 14; thence north to the southern right of way line of NE 36<sup>th</sup> Street a distance of 451 feet; thence east along said right-of-way line to the western right-of-way line of NE Delaware Avenue a distance of 4835.22 feet; thence along the 50 foot radial curve of said right-of-way 78.49 feet southeasterly; thence 200 feet south; thence 50 feet east to the centerline of NE Delaware Avenue; thence northeasterly along the intersection right-of-way line 327.86 feet to the southern right-of-way line of NE 36<sup>th</sup> Street; thence easterly along said right-of-way to the eastern right-of-way line of NE Milan Avenue approximately 1000 feet; thence following the 25 foot radial curve of said right-of-way 41.33 feet southwesterly; thence 116.73 feet south along the western property line of Lot 1 Briar Creek Plat 1; thence following the 25 foot radial curve of the northern right-of-way line of NE 31<sup>st</sup> Street southeasterly; thence following the said right-of way southeasterly 354.48 feet; thence following the southern property line of Lot 1 Briar Creek Plat 1 northeasterly 275.23 feet to the western property line of Lot 1 Albaugh Golf and Commercial; thence following said western property line to the southwestern most point 4643.77 feet; thence following said property line easterly 389.45 feet; thence northeasterly 235 feet; thence southeasterly 166 feet; thence southwesterly 80 feet; thence easterly 315 feet to the eastern right of way line of I-35; thence continuing easterly 2300 feet; thence southerly 1321.4 to the south line of section 7, township 80 north, range 23 west; thence easterly along said section line 1150 feet to the southeast corner of

said section; thence north along the eastern line of said section to the southeast corner of section 6, township 80 north, range 23 west; thence continuing north along the eastern line of said section to the northeast corner of the southeast  $\frac{1}{4}$  of said section 6; thence westerly to the northwest corner of the southeast  $\frac{1}{4}$  of said section 6; thence continuing westerly 278 feet to the western I-35 right-of-way line; thence southerly 1825 feet to the northeast corner of Outlot Z, Otter Creek Redevelopment Plat 1; thence westerly 751 feet along the northern property line to the northwest corner of said Outlot; thence north westerly 195 feet to a northeast corner of Outlot Y, Otter Creek Redevelopment Plat 1; thence northwesterly 142 feet; thence southwesterly 115 feet; thence southerly 255 feet; thence southwesterly 191 feet; thence northwesterly 67.33 feet to the northwestern most corner of NE Otter Creek Drive right-of-way; thence southerly 838.62 feet following the western right-of-way line of said drive to the northern right-of-way line of NE 36<sup>th</sup> Street; thence westerly along said NE 36<sup>th</sup> Street right-of-way line 1320 feet; thence northwesterly 145 feet to eastern NE Delaware Avenue right-of-way line; thence west 94 feet to the western right-of-way line of NE 36<sup>th</sup> Street; thence southwesterly 145 feet to the northern right-of-way line of NE 36<sup>th</sup> Street; thence westerly along said right-of-way 2150 feet to the southwest corner of Lot 1, AFUMC Christian Life Center; thence south 5 feet; thence west 217.99 feet; thence northwesterly 126.19 feet; thence west 128.01 feet; thence north 11 feet; thence west 202.58 feet; thence south 115 feet; thence west along the north NE 36<sup>th</sup> Street right-of-way line 680 feet to the southeast corner of Outlot B, The Woodland Reserve Plat 1; thence north along eastern property line of said, Lot B 185.5 feet; thence west 655.03 feet to the northwest corner of Outlot C, The Woodland Reserve Plat 1; thence north along the west line of The Woodland Reserve Plat 1 a distance of 1026.36 feet; thence westerly along the south right-of-way line of NE 41<sup>st</sup> Street to the east right-of-way line of U.S. Highway 69 a distance of 1058.18 feet; thence westerly to the northeast corner of Lot 1, Johnson Estates Plat 1, 120 feet; thence west 342 feet; thence southerly a distance of 476.53.18 feet; thence westerly a distance of 400.00 feet; thence southerly a distance of 400.00 feet; thence westerly a distance of 700.00 feet; thence southerly to the center right-of-way line of NW 36<sup>th</sup> Street a distance of 400.00 feet; thence easterly to the western right-of-way line of U.S. Highway 69 a distance of 1,448.77 feet; thence southerly along the said right-of-way line of U.S. Highway 69 a distance of 4,061.66 feet; thence westerly along the north line of Georgetown Plat 2 a distance of 786.40 feet to the north west most corner of said plat; thence south westerly along the west line of Georgetown Plat 2 a distance of 274.17 feet; thence south westerly along the west line of said plat to the north western most corner of Lot 1 Georgetown Plat 2 a distance of 222.17 feet; thence southerly along the east line of Georgetown Plat 3 to the south eastern most corner of Lot 4 of Georgetown Plat 3 a distance of 255.05 feet; thence southerly along the eastern line of said plat to the south eastern most corner of Lot 7 Georgetown Plat 3 a distance of 189.8 feet; thence southerly along the east line of said plat to the south eastern most corner of Lot 9 Georgetown Plat 3 a distance of 189.76 feet; thence southerly along the east line of said plat to the center right-of-way line of NW 18th Street a distance of 138.54 feet; thence easterly along the center right-of-way line to the point of beginning a distance of 1072.07. The area includes all streets and their right-of-way within the Urban Renewal Area and all streets and their right-of-way forming the boundary of the Area.

which land is to be included as part of this proposed Urban Renewal Area.

A copy of the Plan is on file for public inspection in the office of the City Clerk, City Hall, City of Ankeny, Iowa.

The City of Ankeny, State of Iowa is the local public agency which, if such Plan is approved, shall undertake the urban renewal activities described in such Plan.

The general scope of the urban renewal activities under consideration in the Plan is to promote the growth and retention of qualified industries and businesses in the Urban Renewal Area through various public purpose and special financing activities outlined in the Plan. To accomplish the objectives of the Plan, and to encourage the further development of the Urban Renewal Area, the Plan provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A of the Code of Iowa. The City also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including the development of the Northeast Ankeny Urban Renewal Area. The City also may acquire and make land available for development or redevelopment by private enterprise as authorized by law. The Plan provides that the City may issue bonds or use available funds for such purposes and that tax increment reimbursement of such costs will be sought if and to the extent incurred by the City. The Plan initially proposes public infrastructure such as streets, sanitary sewer, storm sewer and water improvements, along with parks, municipal bike/pedestrian trails and associated improvements to be undertaken by the City, and provides that the Plan may be amended from time to time to respond to development opportunities.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the City Council of the City of Ankeny, State of Iowa, as provided by Section 403.5 of the City Code of Iowa.

Dated this 7<sup>th</sup> day of September, 2010.

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City Clerk, City of Ankeny, State of Iowa

(End of Notice)



Section 5. That the proposed Northeast Ankeny Urban Renewal Plan, attached hereto as Exhibit A, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed Northeast Ankeny Urban Renewal Plan referred to in the notices for purposes of such consultation and hearing and that a copy of the Plan shall be placed on file in the office of the City Clerk.

Section 6. That the proposed Northeast Ankeny Urban Renewal Plan be submitted to the Plan and Zoning Commission for review and recommendation as to its conformity with the General Plan for the development of the City as a whole, with such recommendation to be submitted in writing to this Council within thirty (30) days of the date hereof.

PASSED AND APPROVED this 7<sup>th</sup> day of September, 2010.

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Mayor

ATTEST:

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City Clerk

Attachment: Exhibit A: Proposed Northeast Ankeny Urban Renewal Plan